

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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RAELYENE TORREY KOCH,

Plaintiff,

ORDER

v.

09-cv-0348-bbc

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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Plaintiff Raelyene Torrey Koch filed a civil suit pursuant to 42 U.S.C. § 405(g) for review of a final decision of the Commissioner of Social Security denying her application for social security disability benefits. Now before the court is the defendant's motion to remand this case for further proceedings, pursuant to sentence four of 42 U.S.C. § 405(g), and enter judgment in favor of plaintiff.

Pursuant to defendant's request, this case will be remanded for consideration by the administrative law judge of evidence plaintiff submitted at the hearing, but that was not associated with the record. Also on remand, the administrative law judge should update the record, consider any new evidence, consider plaintiff's obesity and determine whether plaintiff's alleged drug and alcohol abuse is material to a finding of disability or non-disability.

ORDER

IT IS ORDERED that defendant's motion for remand is GRANTED and the decision of defendant Michael J. Astrue, Commissioner of Social Security, denying plaintiff Raelyene Torrey Koch's application for disability insurance benefits is REVERSED AND REMANDED pursuant to sentence four of 42 U.S.C. §405(g) for further proceedings.

The clerk of court is directed to enter judgment in favor of plaintiff and close this case.

Entered this 3<sup>rd</sup> day of December, 2009.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge